

### REMARKS

The present application includes pending claims 16-47, all of which have been rejected. Claims 16, 20-23, 25, 27, 29-32, 36-39, 41, 43 and 45-57 stand rejected under 35 U.S.C. 102(e) as being anticipated by U.S. 7,237,029 ("Hino"). Claims 19 and 35 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Hino. Claims 17-18, 26, 28, 33-34, 42 and 44 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Hino in view of U.S. 2004/00030501 ("Krz"). Claims 24 and 40 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Hino in view of U.S. 6,363,434 ("Eytchison"). The Applicants respectfully traverse these rejections for at least the following reasons:

**I. Hino Does Not Anticipate Claims 16, 20-23, 25, 27, 29-32, 36-39, 41, 43 And 45-57**

The Applicants first turn to the rejection of claims 16, 20-23, 25, 27, 29-32, 36-39, 41, 43 and 45-57 as being anticipated by Hino. Hino "relates to a remote **control** system for **controlling home appliances** from outside the home and a gateway apparatus used for the remote control system, and in particular, to the system and apparatus capable of controlling the home appliances from outside the home with easier operation." Hino at column 1, lines 7-12 (emphasis added). The gateway apparatus "includes means for acquiring appliance panel information indicating panel parts of the appliance and an operational range of the panel parts, and means for memorizing gateway apparatus information indicating whether a control command input to the appliance through a network built outside the home." *Id.* at Abstract. Additionally, the gateway apparatus "further includes means for determining whether or not it is possible to accept the input by making reference to the gateway apparatus information when the control command input is received through the outside network and for producing a control command to the appliance based on the appliance panel information when the acceptance is possible." *Id.* at Abstract. In general, Hino discloses a system that "makes it possible to perform remote control in a similar feeling obtained in operating a

front panel of an actual home appliance.” *Id.* at Abstract. That is, an operator may control a home appliance remotely.

With respect to the rejection of independent claims 16 and 32, the Office Action cites Hino at column 2, lines 37-44 as disclosing a “method for automatically monitoring at least one media peripheral via a communication network,” as recited, for example, in claim 16. See July 25, 2007 Office Action at page 2. This portion of Hino states, however, the following:

The present invention has been made with consideration of the above problems faced by the conventional techniques, and an object of the present invention is to provide, with higher reliability and easier operations, a **remote control system** capable of **controlling home appliances through a network connected to the home**. Also a further object of the present invention is to provide a gateway apparatus for realizing the above remote control system.

Hino at column 2, lines 37-44 (emphasis added). This portion of Hino clearly sets forth a “remote control system” configured to control home appliances. There is nothing in this portion of Hino, however, that describes, teaches or suggests “**monitoring**,” as opposed to controlling, “at least one media peripheral via a communication network,” as recited in claims 16 and 32. Further, there is nothing in this portion of Hino that describes, teaches or suggests the control of home appliances being **automatic**.

Next, the Office Action cites Hino at column 8, lines 12-14 and 22-25 as disclosing “automatically establishing a communication link between the first system and the at least one media peripheral,” as recited, for example, in claim 16. See July 25, 2007 Office Action at page 3. This portion of Hino, however, states the following:

When receiving **an input** of the control command toward the specified home appliance from the control device 60 or the outside network 50 (step 4), the appliance control command producing means 11 in the GW apparatus 10 determines if or not the control command is possible to be accepted on the basis of the GW apparatus information memorized by the GW apparatus information memorizing means 13.

In the case that the acceptance is impossible, the producing means rejects the control command (step 8). On the other

hand, if the acceptance is possible, the appliance control command producing means 11 produces a control command (step 6), and the command outputting means 14 outputs the produced control command (step 7).

Hino at column 8, lines 12-25. There is nothing in this passage of Hino, however, that describes, teaches or suggests “**automatically** establishing a **communication link** between a first system and at least one media peripheral.” Instead, this passage discloses that after a **control command** is **input** by a user, the GW apparatus determines whether that control command is acceptable based on stored apparatus information. If the acceptance is impossible, the control command is rejected. If possible, however, the control command is executed.

Next, the Office Action cites Hino at column 19, lines 4-10 and 21-22 as disclosing “automatically determining authorization for monitoring of the at least one media peripheral,” as recited, for example, in claim 16. See July 25, 2007 Office Action at page 3. This portion of Hino, however, states the following:

Further, the information about terminal identification data includes the number of a cellular phone or the ID of a terminal. The user identification information can be set by making use of authentication information at a terminal with an authentication function or information that proves authentication on authentication service.

\* \* \*

In short, any information can be used in the GW apparatus, as long as the information serves as data to identify inputted information in determining whether or not **it is possible to produce a command**.

Hino at column 19, lines 4-10 and 19-22 (emphasis added). This passage of Hino does not describe, teach or suggest “**automatically determining authorization for monitoring** of the at least one media peripheral.” Instead, this passage merely discloses that user identification information can be set by actively selecting authentication information at a terminal (as opposed to **automatically** determining). Further, any information may be used to determine whether it is possible to **produce a command** (as opposed to determining authorization for monitoring).

Next, the Office Action cites Hino at column 9, lines 13-18 and column 8, lines 14-25 as disclosing “automatically monitoring, by the first system, at least one status parameter of the at least one media peripheral, if the authorization is successful.” See July 25, 2007 Office Action at page 3. Hino states, however, the following:

The GW apparatus can be used as a central **controller** in a factory or an office, in which, **through the keyboard of the GW apparatus, a request** for panel information about appliances, such as **air conditioners, lighting fixtures, and doors**, is issued to monitor the present status of the panel of each appliance on a monitor, or a command is issued to control the operation of air conditioners, the turning lighting fixtures on or off, the open/close of doors, and others.

Hino at column 9, lines 11-18. Initially, the Applicants note that “air conditioners, lighting fixtures, and doors” are not media peripherals. Even assuming Hino was directed to media peripherals, this passage does not disclose that they are automatically monitored. Rather, this passage explicitly states that a user must actively, through the keyboard, input a request for panel information.

Hino also discloses the following:

When receiving **an input** of the control command toward the specified home appliance from the control device 60 or the outside network 50 (step 4), the appliance control command producing means 11 in the GW apparatus 10 determines if or not the control command is possible to be accepted on the basis of the GW apparatus information memorized by the GW apparatus information memorizing means 13.

In the case that the acceptance is impossible, the producing means rejects the control command (step 8). On the other hand, if the acceptance is possible, the appliance control command producing means 11 produces a control command (step 6), and the command outputting means 14 outputs the produced control command (step 7).

Hino at column 8, lines 12-25. There is nothing in this passage of Hino (which the Office Action relies on, as noted above) that describes, teaches or suggests “**automatically monitoring**, by the first system, at least one status parameter of the at

least one media peripheral, if the authorization is successful,” as recited in claim 16. Instead, this passage discloses that after a **control command** is **input** by a user, the GW apparatus determines whether that control command is acceptable based on stored apparatus information. If the acceptance is impossible, the control command is rejected. If possible, however, the control command is executed. Thus, this passage of Hino relates to whether a control request actively input by a user is accepted or rejected, but does not describe, teach or suggest “automatically monitoring” a “status parameter of the at least one media peripheral, if authorization is successful.”

The Office Action also cites Hino at column 8, lines 20-25 as disclosing “automatically responding, by the first system, to a state of the at least one status parameter, if the authorization is successful; and automatically not monitoring and not responding to a state of the at least one status parameter, if the authorization is not successful.” See July 25, 2007 Office Action at page 3. Again, however, as shown above, Hino at column 8, lines 12-25 does not relate to “automatically monitoring.”

For at least the reasons discussed above, the Office Action has not established a *prima facie* case of anticipation with respect to independent claims 16, 32 or any of the claims that depend therefrom. Thus, the Applicants respectfully request reconsideration of these claim rejections.

## **II. The Proposed Combinations Of References Do Not Render Claims 17-19, 24, 26, 28, 33-35, 40, 42 And 44 Unpatentable**

The Applicants respectfully submit that Hino does not render claims 19 and 35 unpatentable for at least the reasons discussed above. Additionally, the proposed combination of Hino and Krz does not render claims 17-18, 26, 28, 33-34, 42 and 44 for at least the reasons discussed above. Further, the proposed combination of Hino and Eytchison does not render claims 24 and 40 unpatentable for at least the reasons discussed above.

## **III. Conclusion**

In general, the Office Action makes various statements regarding the pending claims and the cited references that are now moot in light of the above. Thus, the Applicants will not address such statements at the present time. The Applicants

Appln. No.: 10/672,601  
Response Under 37 C.F.R. § 1.111  
September 4, 2007

expressly reserve the right, however, to challenge such statements in the future should the need arise (e.g., if such statements should become relevant by appearing in a rejection of any current or future claim).

The Applicants respectfully submit that a *prima facie* case of anticipation and/or obviousness has not been established with respect to any of the pending claims for at least the reasons discussed above and request reconsideration of the claim rejections. If the Examiner has any questions or the Applicants can be of any assistance, the Examiner is invited to contact the undersigned attorney for Applicants.

The Commissioner is authorized to charge any necessary fees, or credit any overpayment to the Deposit Account of McAndrews, Held & Malloy, Account No. 13-0017.

Respectfully submitted,

Date: September 4, 2007

MCANDREWS, HELD & MALLOY, LTD.  
500 West Madison Street, 34th Floor  
Chicago, Illinois 60661  
Telephone: (312) 775-8000  
Facsimile: (312) 775-8100

/Joseph M. Butscher/  
Joseph M. Butscher  
Registration No. 48,326  
Attorney for Applicants